

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

CARL C. FOSTER,

Plaintiff,

v.

Civil Action No. 2:14-cv-29206

U.S. SOCIAL SECURITY  
ADMINISTRATION OF WEST VIRGINIA  
DISABILITY DETERMINATION SECTION,

Defendant.

MEMORANDUM OPINION AND ORDER

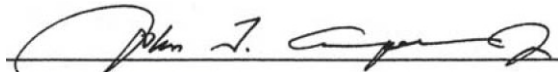
This action was previously referred to Dwane L. Tinsley, United States Magistrate Judge, who has submitted his Proposed Findings and Recommendation pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B).

The court has reviewed the Proposed Findings and Recommendation entered by the magistrate judge on November 3, 2017. The magistrate judge recommends that the court dismiss the plaintiff's complaint according to Federal Rule of Civil Procedure 12(h)(3) and 28 U.S.C. § 1915(e)(2)(B). The plaintiff, proceeding pro se, has not objected to the Proposed Findings and Recommendation.

Accordingly, it is ORDERED that the Proposed Findings and Recommendations be, and hereby is, adopted by the court, and that the plaintiff's action be, and hereby is, dismissed.

The Clerk is directed to forward copies of this written opinion and order to the pro se plaintiff, all counsel of record, and the United States Magistrate Judge.

ENTER: December 18, 2017

A handwritten signature in black ink, appearing to read "John T. Copenhaver, Jr.", written over a horizontal line.

John T. Copenhaver, Jr.  
United States District Judge